

REMARKS

Claims 19-23, 30, and 31 are pending. Claims 19, 20, and 22 are currently amended, and claims 1-18 and 24-29 are canceled. Claims 30 and 31 are added.

Claims 19 and 23 stand rejected under 35 U.S.C. § 102(e) as anticipated by *Zhao et al.* (U.S. Patent No. 6,210,485). Applicants respectfully submit that the rejection should be withdrawn.

Independent claim 19 claim is now amended as shown above to specify that the vaporizer of applicants' invention has a nozzle ring at the tip of its atomization section in the vicinity of the end portion of the internal conduit, and upon which a vaporization surface is formed which prevents the liquid substance which as been vaporized from re-condensing. (This feature had previously been recited in claim 20.) *Zhao et al.* does not teach this feature, so the anticipation rejection of claim 19 should be withdrawn.

Claim 23 depends from claim 19, so the rejection of claim 23 should be withdrawn for at least the reason of its dependency.

Applicants appreciate the indication in the Office Action that claims 20-22 would be allowed if claims 20 and 22 were rewritten in independent form. However, claims 20 and 22 depend from claim 19, and, as discussed above, its rejection should be withdrawn. Therefore, it is not necessary to rewrite claims 20 and 22 in independent form to gain the allowance of claims 20-22.

Applicants add claim 30, which finds support in applicants' disclosure, for example, at page 56, lines 6-11. Claim 30 depends from claim 19 and should be allowed for at least that reason.

Applicants also add claim 31, which recites the features originally recited in claim 23 (which incorporated the subject matter of parent claim 19). Claim 31 (as did original claim 23) specifies that the vaporizer has a "metal gasket" and a "pair of coupling members," and the claim further specifies particular features of these elements that *Zhao et al.* does not teach. The Office Action indicates that the rejection (of claim 23) relies on threaded sleeve 138 to anticipate the "metal gasket," but the Office Action does not indicate how *Zhao et al.* supposedly teaches "coupling members" with all the characteristics claimed.

For example, claim 31 states that the coupling members "are provided so as to sandwich said metal gasket between them." Threaded sleeve 138 is "sandwiched" between injection member 114 and an unlabeled element protruding from the center of cooling head 104. Because the rejection relies on threaded sleeve 138 to anticipate the "metal gasket," it implicitly relies on the unlabeled element and injection member 114 to anticipate the pair of "coupling members." However, injection member 114 (terminating at nozzle 144, relied upon to teach a separate claim element, the "internal conduit") is not a "coupling member." Therefore, the rejection of the original claim 23 has not been justified, so the previous Office Action does not provide justification for a rejection of present claim 31.

Applicants have studied the Zhao et al. disclosure as it relates to claim 31 and find no way to justify an anticipation rejection based thereon by consistently relying on the same

correspondence of prior art elements to claim elements for every feature recited in the claim. The claim recites that one of the “coupling members” is fixed to the internal conduit, and the only Zhao et al. element fixed to injection member 114 is the element relied upon to anticipate a different claim element (of claim 23).

For at least these reasons, claim 31 should be allowed. This explanation also provides additional reasons to allow claim 23, which recites all the subject matter of claim 31 (and the new subject matter in parent claim 19).

In another matter, applicants amend the specification as shown above to address an informality.

In view of the remarks above, applicants now submit that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is invited to contact applicants’ undersigned attorney at the telephone number indicated below to arrange for disposition of this case.

Amendment Under 37 C.F.R. § 1.111
Serial No. 09/957,470
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If this paper is not timely filed, applicants petition for an extension of time. Any fees due for an extension of time or for other matters may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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